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STATUS OF PREPARATION OF PUBLICATIONS, STUDIES AND DOCUMENTS FOR THE WORLD CONFERENCE

Note by the Secretariat

Contribution from the NGO CONGO Committee on the International Year of the World's Indigenous People

1. The attention of the Preparatory Committee is drawn to the contribution entitled "Children of Indigenous Peoples: Identity, Security, Development" presented by the Anglican Consultative Council, a Non-governmental organization in consultative status with the Economic and Social Council (category II), on behalf of the NGO CONGO Committee on the International Year of the World's Indigenous People.

2. The paper estimates that there are approximately 200 to 300 million indigenous peoples alive today, or 5 per cent of the world's population. Due to their disadvantaged situation in most States and in recognition of the International Year of the World's Indigenous People, the paper recommends that certain measures be undertaken in furtherance of the provisions of the Convention on the Rights of the Child, to protect the identity, security and development of indigenous children.

CHILDREN OF INDIGENOUS PEOPLES: Identity, Security, Development

Indigenous peoples are found within the borders of at least half of the Member States of the United Nations and number an estimated 200 to 300 million, or about five percent of the world's total population. In most countries they are a numerical minority, while in others they may be a majority. Until very recently, most indigenous peoples were regarded as backward, and were typically neglected, forced from their lands, or subjected to resettlement and schooling programs designed to "assimilate" them into national institutions.

Indigenous cultures and ways of life of are highly diverse; there may still be as many as 2,000 distinct indigenous peoples in the world today. While nearly all have been marginalized in the past century by the forces of colonization or industrial expansion, they also share an older and deeper unity in their relationships with their own ancestral territories. Living by harvesting and cultivating the same ecosystems for thousands of years, they developed complex social and ritual forms to manage their population and consumption levels sustainably. Today, they often live in isolated regions with very fragile ecosystems, such as tundra, tropical forests and deserts where even small encroachments can have devastating effects on their health and nutrition. Some live in the midst of industrialized countries, where they find it difficult to maintain their identity and cultural organization, and suffer very high and growing rates of suicide, family violence and drug abuse.

In both developing and highly industrialized countries, in urban areas or along isolated "development frontiers," more than 100 million indigenous children are at risk. For a variety of reasons they may not yet have received adequate or appropriate assistance. Future intergovernmental efforts should be designed with respect for the identity of indigenous children, greater attention to the emerging threats to the survival of these children, and through arrangements that build the capacities of indigenous peoples for self-development in their own terms.

Identity

Article 30 of the Convention on the Rights of the Child protects indigenous children from any interference with the enjoyment of their cultures, the exercise of their traditional religious beliefs, or the use of their own languages. Article 29(c) reinforces this guarantee, by providing that the aims of education shall include the development of respect for the child's parents, and for the child's own cultural identity, language, and values. Article 17(d) likewise provides that States shall encourage the mass media to address the linguistic needs of indigenous children. Finally, Article 20(c) provides that, when considering measures for the protection of a child who is temporarily or permanently deprived of his or her family environment, government authorities shall give due regard to the desirability of continuity in the child's upbringing, and to the child's ethnic, religious, cultural and linguistic background. Other provisions of particular importance for indigenous children include those relating to the responsibilities of extended family members (Article 5), the child's right to preserve

his or her own identity (Article 8), and the child's right to freedom of expression (Article 13) and of religion (Article 14).

In summary, the Convention on the Rights of the Child guarantees the right of indigenous children to preserve, learn, enjoy, exercise, and develop their own specific indigenous identity--even if they lose their own families and must be entrusted to others. Arrangements for emergency or substitute care or adoption should therefore be made with a view to keeping the child, as far as possible, within his or her own community and culture. Similarly, measures to "assimilate" indigenous peoples through the removal or adoption of indigenous children, or the schooling of children under conditions which denigrate or deprive them of their own cultures, languages, or religions, are inconsistent with the provisions of the Convention.

The leading international instrument that deals specifically with the rights of indigenous peoples is the ILO's Convention on Indigenous and Tribal Peoples, 1989 (No. 169). It secures their rights to land; to respect for the integrity of their own customary laws, cultures and institutions; to self-development; and to community control of social, health, and educational programs, including the establishment of their own educational institutions. It provides specifically for bilingual education, with the aim of equal fluency in indigenous and national or official languages (Article 28), and for bicultural education that can enable children to participate fully in their own societies as well as national society (Article 29). Educational and social programs are to be planned, implemented and evaluated in cooperation with indigenous peoples themselves (Article 33). This means shared responsibility for creating conditions in which indigenous children can fully enjoy their own identity, language and culture, while also enjoying free access to the alternatives offered by national society.

Security

Above all, indigenous children, like all children, have the right to survive (CRC, Article 6). This should be given increasing priority because indigenous peoples live in some of most precarious ecological situations in the world today. Either because they have been able to survive in challenging environments such as tundra, deserts, and rain forests, or because they have been displaced to isolated regions long considered undesirable or uninhabitable by others, indigenous peoples are now largely located along "development *frontiers*" where commercial exploitation of natural resources is just beginning. This is equally true in developing countries (*for* example in Amazonia and mountainous southeast Asia) and highly industrialized countries (in the Arctic).

Physical displacement, reduced access to land, deforestation and destruction of wildlife, and growing contamination of water and soils rapidly result in health crises for indigenous peoples in such areas. Traditional subsistence activities are curtailed, while alternatives--such as employment in extractive industries--are either unavailable or do not pay high enough wages to replace the value of lost subsistence. The quantity and quality of the diet can decline rapidly, exacerbated by the contamination of food sources with industrial by-products, and

contact with new vectors of disease. As nutritional status declines, opportunistic infections multiply and health deteriorates, traditional forms of medicine generally lack effective means of responding to new pathologies. As they lose control over their lives, and the survival of their children, they can lose confidence in their own cultures and become victims of drug abuse and other self-destructive behaviour. No deliberate violence is necessary to complete this cycle of destruction --although aggression by settlers is often an added factor. This was a pattern seen along the "Western frontier" in North America a century ago, and it is now being repeated in other regions.

Emergency programs for indigenous peoples in these circumstances should, in the future, be designed with greater attention to specific dietary sensivities and needs. Unlike populations long accustomed to eating cultivated grains or processed foods, indigenous peoples can be sensitive to some starches and sugars, and have unusually high dietary iron requirements. Studies in some circumpolar countries suggest that diets based on processed grains, milk, and vegetable oils can increase many health problems for indigenous hunters and fishers, in particular cardio-vascular disease and anemia. Greater recognition of this issue and more appropriate research, in cooperation with indigenous peoples, will be important for stabilizing the health of indigenous communities along "development frontiers".

Dietary supplementation can never be an adequate solution for the survival of indigenous children, however. Once an indigenous people's ecosystem has been disrupted and degraded, it may never be possible to fully restore its productivity. This leaves a choice between building an industrial wage economy, which can be incompatible with indigenous cultures, or long-term dependence on aid, which is antithetical to any kind of self-respect or self-development. Neither alternative permits indigenous peoples to enjoy and develop their own cultures, which are rooted in their productive and spiritual relationship with their land. The only way to ensure the survival of indigenous children *and* respect the cultural rights recognized by the Convention on the Rights of the Child, is to provide security of land tenure and control of resources. Territorial or ecological rights are indispensible to the physical and cultural survival of indigenous children.

Development

In an address to the Third Committee of the General Assembly last November, Nobel Peace Prize-winner Rigoberta Menchu observed that the collective form of organization of indigenous peoples "offers immense potential for the integrated development of the human being, based on the essential qualities of solidarity and cooperation, and, above all, its own conception of democracy." Indigenous cultures emphasize both individuality and personal responsibility to the family and community, which some indigenous writers contrast with what they perceive as the relative alienation and authoritarianism of industrialized societies. Child-rearing in indigenous communities traditionally focussed on the development of individual capacities, self-discipline and self-respect rather than standardized knowledge or obedience. Indigenous societies

can be extraordinarily diverse, adaptable, and democratic, if allowed to pursue their own form of personal development and social order.

When indigenous societies break down, as they have to an alarming extent in some highly-industrialized societies, government authorities have often responded by removing children to institutions, or adoption with non-indigenous families. Sometimes this is justified by a belief that traditional approaches to child-rearing, emphasizing freedom and exploration rather than adult discipline and supervision, are bad for children. Often it is justified on economic grounds--that is, that it is in the child's best interest to escape the poverty to which his or her family and community have been condemned. The inevitable result of removing children has been to accelerate the corrosive effects of poor health, poverty, loss of self-respect, and self-destruction. The short-term protection of some children, assuming it is really needed, can lead to the permanent destruction of the entire society and future generations of children.

The best way to guarantee the long-term protection of indigenous children is through strengthening indigenous families, and increasing the institutional capacity of indigenous communities to feed, educate and protect their own children. ILO Convention No. 169 contemplates a cooperative relationship between States and indigenous peoples, where States provide resources for programs and institutions administered by indigenous peoples themselves. Chapter 26 of Agenda 21, adopted last year at Rio de Janeiro, refers to a "partnership" between governments, intergovernmental agencies and indigenous peoples for the purposes of managing ecosystems, strengthening traditional forms of production and exploring sustainable alternatives. These kinds of arrangements would significantly increase indigenous peoples' capacity to provide stable, culturally-appropriate environments for the development of children.

These concerns are underscored by the rapid population growth of indigenous peoples in many of the industrialized countries, where the destruction of traditional, sustainable economic systems has resulted in economies based on wages and transfer payments. Population growth rates of indigenous peoples in North America are comparable with rural population growth rates in developing countries, for example. Loss of land and sustainable production systems in other regions will have the same effects in coming years. Restoring land security and sustainable forms of production will need to be given high priority in the future, if indigenous peoples are to have any possibility of achieving stable population levels and an adequate and sustainable standard of living.

Challenges

The great potential contribution of indigenous peoples to global environmental security and development will be lost, unless steps are promptly taken to stabilize the ecosystems in which indigenous peoples live, and to enable indigenous peoples to strengthen and rebuild their cultures. The damage has been great, and task of rebuilding will not be easy or quick. It will fall to the children born during and after this International Year of the World's Indigenous People--perhaps the most threatened generation of indigenous children ever. They must be

given every opportunity to survive and develop in their own terms, and to learn and strengthen the adaptive diversity of their cultures.

The United Nations system should make a significant contribution to this generation of indigenous children. What is needed, foremost, is a stronger coordination mechanism to synergy the relevant programs of UNICEF and other operational bodies. Also needed will be a shared, reliable database, as suggested by General Assembly resolution 47/75, as a basis for setting priorities and targetting our efforts. In the spirit of "A New Partnership," moreover, it will be important to find an appropriate and effective way to give indigenous peoples a direct, effective voice in U.N. decision-making. It is for indigenous peoples themselves to propose such a mechanism, but it is to be hoped that it will include indigenous youth and children. Two young American Indian secondary-school students participated valuably in the drafting of the Convention on the Rights of the Child. We should encourage more young indigenous people to play a role not only in indigenous affairs but in world affairs.

Recommendations

1. The Secretary-General should establish a special office in the Department for Policy Coordination and Sustainable Development for the promotion and coordination of programs for indigenous self-development and rights, staffed as far as possible with indigenous professionals.

2. This office should be given the mandate and adequate resources to compile, and annually publish data on the socio-economic conditions of indigenous peoples, especially children, in all countries.

3. In collaboration with indigenous peoples, UNICEF should launch a special program for improving the nutrition and health of indigenous children, with regard for their specific nutritional requirements and health needs, and through measures that include the stabilization and development of traditional modes of subsistence.

4. UNICEF should also engage in formal annual consultations with indigenous NGOs and indigenous professionals, both at the regional and headquarters levels, to strengthen the quality of its programs as they affect indigenous communities. These meetings should form the nucleus for an exchange of expertise among indigenous peoples, in fields such as child health, early childhood development and bilingual/bicultural education.

5. To foster greater attention to the special needs of indigenous children, recognized by the Convention on the Rights of the Child, the Committee on the Rights of the Child should invite national indigenous organizations, and indigenous professionals with relevant expertise to participate in its meetings when it reviews periodic reports of States in which indigenous peoples live.

6. In implementing these recommendations, every effort should be made to recruit and involve indigenous youth. In particular, UNICEF and other United Nations operational bodies should establish special training and internship programs for indigenous youth, at the national and headquarters levels.